

**House Study Bill 37 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
PUBLIC SAFETY BILL BY  
CHAIRPERSON BAUDLER)

**A BILL FOR**

1 An Act relating to the authorized possession of certain  
2 offensive weapons.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 724.1, subsections 1, 2, and 8, Code  
2 2011, are amended to read as follows:

3 1. A machine gun. A machine gun is a firearm which shoots  
4 or is designed to shoot more than one shot automatically,  
5 without manual reloading, by a single function of the trigger.

6 2. A short-barreled rifle or short-barreled shotgun. A  
7 short-barreled rifle or short-barreled shotgun is a rifle with  
8 a barrel or barrels less than sixteen inches in length or a  
9 shotgun with a barrel or barrels less than eighteen inches  
10 in length, as measured from the face of the closed bolt or  
11 standing breech to the muzzle, or any weapon made from a rifle  
12 or shotgun ~~with~~ if such weapon as modified has an overall  
13 length less than twenty-six inches.

14 8. Any mechanical device specifically constructed and  
15 designed so that when attached to a firearm silences, muffles,  
16 or suppresses the sound when fired. ~~However, this subsection~~  
17 ~~does not apply to a mechanical device possessed and used by~~  
18 ~~a person solely for the purpose of shooting a deer pursuant~~  
19 ~~to an approved city special deer population control plan if~~  
20 ~~the person has a valid federal permit to possess and use the~~  
21 ~~mechanical device.~~

22 Sec. 2. Section 724.2, unnumbered paragraph 1, Code 2011,  
23 is amended to read as follows:

24 ~~Any of the~~ The following is persons are authorized to possess  
25 an offensive weapon ~~when~~ in the performance of the person's  
26 official duties or lawful activities require or permit such  
27 possession as prescribed by the person's employing agency:

28 Sec. 3. Section 724.2, subsections 8 and 9, Code 2011, are  
29 amended to read as follows:

30 8. A resident of this state who possesses an offensive  
31 weapon which is a curio or relic firearm under the federal  
32 Firearms Gun Control Act of 1968, 18 U.S.C. ch. 44 or the  
33 federal National Firearms Act of 1934, 26 U.S.C. ch. 53, solely  
34 ~~for use in the official functions of a historical reenactment~~  
35 ~~organization of which the person is a member,~~ if the offensive

1 weapon has been permanently rendered unfit for the firing of  
2 live ammunition. The offensive weapon may, however, be adapted  
3 for the firing of blank ammunition.

4 9. A nonresident who possesses an offensive weapon which  
5 is a curio or relic firearm under the federal Firearms Gun  
6 Control Act of 1968, 18 U.S.C. ch. 44 or the federal National  
7 Firearms Act of 1934, 26 U.S.C. ch. 53, ~~solely for use in~~  
8 ~~official functions in this state of a historical reenactment~~  
9 ~~organization of which the person is a member~~, if the offensive  
10 weapon is legally possessed by the person in the person's state  
11 of residence and the offensive weapon is at all times while  
12 in this state rendered incapable of firing live ammunition.  
13 A nonresident who possesses an offensive weapon under this  
14 subsection while in this state shall not have in the person's  
15 possession live ammunition. The offensive weapon may, however,  
16 be adapted for the firing of blank ammunition.

17 Sec. 4. Section 724.2, Code 2011, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 10. A person who possesses a device  
20 described in section 724.1, subsection 8, or a machine gun,  
21 short-barreled rifle, or short-barreled shotgun as defined in  
22 section 724.1, in compliance with the federal Gun Control Act  
23 of 1968, 18 U.S.C. ch. 44 or the federal National Firearms Act  
24 of 1934, 26 U.S.C. ch. 53.

25 Sec. 5. Section 724.3, Code 2011, is amended to read as  
26 follows:

27 **724.3 Unauthorized possession of offensive weapons.**

28 Any person, other than a person authorized ~~herein~~ in section  
29 724.2, who knowingly possesses an offensive weapon commits a  
30 class "D" felony.

31 EXPLANATION

32 This bill relates to the authorized possession of offensive  
33 weapons.

34 The bill modifies the definition of a machine gun, a  
35 short-barreled rifle, a short-barreled shotgun, and a

1 mechanical device that silences, muffles, or suppresses the  
2 sound of a firearm when fired, defined as offensive weapons  
3 under Code section 724.1. A person who is not authorized under  
4 Code section 724.3 to possess an offensive weapon is guilty of  
5 a class "D" felony.

6 The bill amends provisions in Code section 724.2 authorizing  
7 the possession of certain offensive weapons in certain  
8 circumstances, including an offensive weapon that is a curio  
9 or relic firearm, a machine gun, a short-barreled rifle, a  
10 short-barreled shotgun, and a mechanical device that silences,  
11 muffles, or suppresses the sound of a firearm when fired, as  
12 amended in the bill, in compliance with the provisions of  
13 the federal Gun Control Act of 1968 and the federal National  
14 Firearms Act of 1934.